

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR246
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
FERNANDO M.. LUNA,)	
)	
Defendant.)	

This matter is before the Court on the United States' Motion for Final Order of Forfeiture (Filing No. 44). The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On October 5, 2009, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 922(g)(5), 942(a)(2), 924(d) and Title 28, United States Code, 2461(c) based upon the Defendant's plea of guilty to Counts I and II of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in a Winchester Model 94 .30-30 rifle was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov for at least thirty consecutive days, beginning on March 17, 2010, as required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on May 24, 2010 (Filing No.43).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

IT IS ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture (Filing No. 44) is hereby sustained.

B. All right, title and interest in and to the Winchester Model 94 .30-30 rifle held by any person or entity, is hereby forever barred and foreclosed.

C. The Winchester Model 94 .30-30 rifle, be, and the same hereby is, forfeited to the United States of America.

D. The United States Bureau of Alcohol, Tobacco, Firearms, and Explosives for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 24th day of May, 2010.

BY THE COURT:

S/ Laurie Smith Camp
United States District Judge